

# **THE END RACIAL PROFILING ACT of 2001**

## **Title I: Prohibition on Racial Profiling**

This Title would ban racial profiling, defined generally as the practice of a law enforcement agent relying, to any degree, on race, national origin, or ethnicity in selecting which individuals to subject to routine investigatory activities, or in deciding upon the scope and substance of law enforcement activity following the initial routine investigatory activity. Racial profiling would not include reliance on such criteria in combination with other identifying factors when the law enforcement agent is seeking to apprehend a specific suspect whose race, national origin, or ethnicity is part of the description.

The Department of Justice or individuals would be able to enforce this prohibition by filing a suit for injunctive relief.

## **Title II: Programs to Eliminate Racial Profiling by Federal Law Enforcement**

This Title would require federal law enforcement agencies – such as the DEA, FBI, INS, and Customs Service – to cease practices that encourage racial profiling and adopt policies and procedures to eliminate racial profiling, including the following:

- H A prohibition on racial profiling;
- H The collection of data on routine investigatory activities;
- H Procedures for receiving, investigating, and responding to complaints alleging racial profiling;  
and
- H Procedures to discipline law enforcement agents who engage in racial profiling.

## **Title III: Programs to Eliminate Racial Profiling by State and Local Law Enforcement Requirements for Continued Receipt of Federal Funds.**

This Title would require state and local law enforcement agencies to cease practices that encourage racial profiling and adopt policies and procedures to eliminate racial profiling, including the following:

- H A prohibition on racial profiling;
- H The collection of data on routine investigatory activities;
- H Procedures for receiving, investigating, and responding to complaints alleging racial profiling;  
and
- H Procedures to discipline law enforcement agents who engage in racial profiling.

If the Attorney General determines that a grantee of specified federal funds is not in compliance with these requirements, the Attorney General is to withhold all or part of the grant.

**Incentive Grants.** This Title also would authorize the Attorney General to provide grants to encourage compliance with this Act. These grants may be used for the development and implementation of best policing practices, such as the following activities:

- H Training to prevent racial profiling and to encourage more respectful interaction with the public;
- H Acquisition and use of technology to facilitate the collection of data;
- H In-car video cameras, portable computer systems and other technology to verify the accuracy of data collection;
- H Early warning systems and other feedback systems that help identify officers or units of officers at risk of racial profiling;
- H Systems and procedures for receiving, investigating, and responding to complaints alleging racial profiling;
- H Management systems to ensure that supervisors are held accountable for the conduct of their subordinates.

**Title IV: Department of Justice Reports on Racial Profiling in the United States**

Not later than two years after enactment of this Act and each year thereafter, the Attorney General is to submit to Congress a report on racial profiling by federal, state and local law enforcement agencies. This report shall include a summary of the data collected pursuant to Titles II and III.